

REMARKS

Claims 10 - 15 are in the application and are presented for consideration. By this Amendment, Applicant has made formal changes to the claims to address the outstanding formal issues.

Claims 10 - 15 have been rejected as being indefinite. Applicant has made changes to remove each of the issues raised. However, it is noted that the phrase "sliding block or carriage" is meant to reference equivalent elements and therefore is not indefinite. It is Applicant's position that the carriage and sliding block are equivalent in the context of the invention.

Claim 10 has been rejected as being clearly anticipated by the White et al. reference. The Examiner takes the position that the White et al. reference meets each of the features specified in the claims. The active chain portion is stated to be in guide 98 with the passive chain portion being guide 100.

Applicant requests reconsideration of the rejection as Applicant's position that each feature specified in claim 10 is not present in the structure disclosed in the White et al. reference. Most notably, Applicant's claim 10 requires the chain of an active section attached to the sliding block and turning on the sprocket driven by the gear motor with a passive section returning in the guide profile in a direction parallel to the movement of the sliding block or carriage. This does require that the passive section return or extend a length in the guide profile in the direction of movement of the sliding block for carriage. This specifies a guide profile with at least a region for the passive and active section. This guide profile feature is different

from the also claimed external chain guide fixture. The White et al. reference also does not claim aspects of the external chain guide fixture associated with the sprocket. It is the chain guide fixture, a feature different from the guide profile, which forms a guide passage (also different from the guide profile). This guide passage has several features in combination which are not suggested by White et al. Specifically, there is a rectilinear tract (see 24) extending tangentially to the sprocket followed by an intermediate circular part concentric to the sprocket followed by a curvilinear tract. It is Applicant's position that the circular tract of the guide 100 of White et al. has a linear portion following the circular part and not the claimed feature. In any event, White et al. does not teach the guide profile as well as the external chain guide with the particulars as claimed, namely the guide profile accommodating the passive section in a return zone parallel to the movement of the sliding block (a feature White et al. clearly does not have) with the addition of an external chain guide fixture associated with the sprocket having the particulars as claimed, namely the curvilinear tract (curve and linear) following the intermediate circular part.

Applicant respectfully requests that the Examiner reconsider the rejection in view of the comments noted above.

Claims 11 - 15 have been rejected as being obvious based on the teachings of White et al. in view of Schroeder.

As noted above, White et al. fails to teach particulars of claim 10 and therefore fails to teach features of dependent claims 11 and 12. Further, independent claim 13 includes similar features, namely a claim guide profile with the passive section returning at another side of the

sprocket and along the guide profile. Further, there is the claimed external chain guide, which cooperates with the sprocket and includes the different tract portions. As such, the combined references fail to teach the combination of features claimed. Further, the Schroeder reference relates to a simple hoist, namely a pulley-type structure with a chain. The reference fails to teach and fails to suggest the combination of features claimed, namely a taper section working in concert with the other structure claimed including a guide profile and chain guide fixture. Particularly in the case of White et al., where the passive section is simply maintained in a serpentine tract, the combined references do not present motivation to the person of ordinary skill in the art to make changes to the White et al. reference as proposed.

Applicant respectfully requests that the Examiner reconsider the rejections. Favorable consideration on the merits is requested.

Respectfully submitted
for Applicant,

By:



John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

JJM:jj/tf
71075.8

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

CERTIFICATE OF FACSIMILE TRANSMISSION
I HEREBY CERTIFY THAT THIS PAPER FOR SERIAL NO. 10/629,047 (10 PAGES IN ALL) IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE FACSIMILE NUMBER 571-273-8300 ON THE DATE SHOWN BELOW.

Toni Ann Fonte
NAME OF PERSON SIGNING CERTIFICATION

Dorothy A. Conde

SIGNATURE

DATED: January 24, 2006
McGЛЕW AND TUTTLE, P.C.
BOX 9227 SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-9227
TELEPHONE: (914) 941-5600
FACSIMILE: (914) 941-5855